

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO, INC. SECURITIES
LITIGATION

07-MDL-1902 (JSR)

SPECIAL MASTER ORDER ON BENNETT DEPOSITION

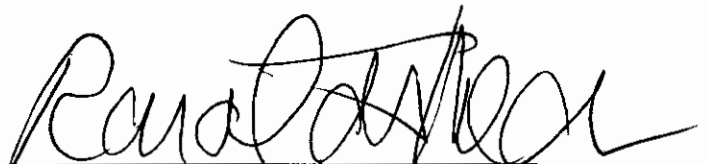
Within thirty ("30") days of the commencement of deposition discovery in any action in the above-referenced litigation in which deposition discovery is currently stayed, including but not limited to, Krys et al. v. Sugrue et al. (08-cv-3086(JSR) and 08-cv-3065(JSR)), Krys v. Aaron (08-cv-7416(JSR)), and Krys et al. v. Butt (08-cv-8267(JSR)), any party seeking a deposition of Phillip R. Bennett in any such action will submit a list of non-exhaustive questions designed to test the invocation of Mr. Bennett's privilege against self-incrimination under the Fifth Amendment of the United States Constitution.

Within fourteen ("14") days of receipt of a list of non-exhaustive questions from a party seeking to depose Mr. Bennett, counsel for Mr. Bennett will submit responses to those questions.

On receipt of responses from Mr. Bennett's counsel, the Special Master will set a date and time for a conference call and briefing schedule concerning whether any adverse inference may be drawn from Mr. Bennett's invocation of his privilege against self-incrimination.

SO ORDERED
Dated: January 12, 2010

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Honorable Ronald J. Hedges
Special Master